

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1093.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF DR. LINDLEY'S EPILEPSY REMEDY.

At the May term of the District Court of the United States for the District of Indiana the grand jurors of the United States within and for said district returned an indictment against A. K. Hollowell, alias New Vienna Medicine Co., of said district, charging shipment by him, in violation of the Food and Drugs Act, on October 22, 1910, from the State of Indiana into the State of Ohio of a certain drug denominated "Dr. Lindley's Epilepsy Remedy" which was misbranded. The package containing said article was labeled as follows: "Dr. Lindley's Epilepsy Remedy. A Positive Remedy for Epilepsy, Fits, Spasms, Convulsions and St. Vitus Dance. * * * New Vienna Medicine Co., Indianapolis, Denver. Epilepsy. * * * For this disease we have a specific to offer which * * * produces perfect cures. We have never seen a case of Epilepsy, whether recent or of long standing, whether the attacks were light or assumed the form of terrible fits or convulsions, occurring once a month or twenty times a day, that Dr. Lindley's Fit Cure, in its present perfect form will not arrest at once. * * * by persistent use of the remedy perfect cures are effected in a large majority of cases. * * * the medicines may be taken as long as required without any fear of harm; * * * if the dose named does not stop at once the attacks and give perfect relief, you should increase the amount until the effect is produced, regardless of the quantity required, and this, we assure you, you can do without any danger whatever from the medicine. * * * Be thorough, be persistent, and you will not be disappointed in the results. * * * In ninety cases out of a hundred the Fit Cure meets all requirements and effects a cure without special treatment."

Analysis by the Bureau of Chemistry of a sample of said article showed it to be a hydro-alcoholic solution of bromides of potassium, sodium, and ammonium, flavored with a volatile oil. The indictment was prepared upon a report of the Secretary of the United States Department of Agriculture, and alleged misbranding of the article in two counts: First, for the reason that the statement "Positive remedy for epilepsy, fits, spasms, convulsions and St. Vitus Dance" appearing on the aforesaid label was false and misleading, because the drug does not contain ingredients the remedial action of which will be certain and positive in the cases stated; and second, because the aforesaid label on said article failed to bear a statement indicating the quantity or proportion of alcohol contained in the said article.

On May 17, 1911, the defendant pleaded guilty to said indictment and was fined \$200 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *August 26, 1911.*

